

REMARKS

Reconsideration of the present application as amended is requested.

The specification has been amended on page 10 to indicate the number of the U.S. patent that resulted from the application incorporated by reference. No new matter has been added.

In the first Office Action, Claims 1-10 and 20 were rejected under 35 U.S.C. § 112, second paragraph for indefiniteness in referring to the input and output ends of the first screen. Claim 1 has been amended in line 8 to refer to a first end of the first disc screen. Claim 1 has also been amended in line 10 to refer to a first end of the second disc screen immediately adjacent to the first end of the first disc screen. Claim 20 has been amended in line 8 to refer to a lower end of the disc screen and in line 9 to refer to an upper end of the disc screen. Accordingly, withdrawal of the rejection of Claims 1-10 and 20 for alleged indefiniteness as set forth in paragraph two of the first Office Action is requested.

In the first Office Action, Claim 5 was rejected for indefiniteness in regard to the recitation of the third frame. Claim 5 has been amended, as suggested by the examiner, and withdrawal of the indefiniteness rejection thereof is requested.

In the first Office Action, Claim 7 was rejected for alleged indefiniteness in regard to the term “enclosure.” Claim 7 has been amended to substitute the language formed of steel plates. Accordingly, withdrawal of the indefiniteness rejection of Claim 7 is requested.

In the first Office Action, Claims 11-19 were rejected for alleged indefiniteness in regard to the use of the term “irregular outer contour.” Claim 11 has been amended to eliminate this term. Accordingly, withdrawal of Claims 11-19 for alleged indefiniteness, as set forth in paragraph seven of the first Office Action is requested. The term “irregular outer contours” has also been removed from Claim 20.

In the first Office Action, Claims 12, 13 and 15 were rejected for alleged indefiniteness in regard to “antecedent basis problems among other issues.” Claim 12 has been amended to depend from Claim 11 instead of Claim 1. Claim 12 has been further amended to specify that the first portion of the shafts are included in the first section of the disc screen, and that the second portion of the shafts are included in the second section of the disc screen. Accordingly, withdrawal of the indefiniteness rejection of Claims 12, 13 and 15 as set forth in paragraph eight of the first Office Action is requested.

Finally, in paragraph nine of the first Office Action, Claims 1-3 and 6-20 were rejected under 35 U.S.C. §102(b) for alleged anticipation over Bielagus. Applicant presumes that the examiner is referring to U.S. Patent No. 4,836,388 of Bielagus, granted June 6, 1989, and assigned to Beloit Corporation. This anticipation rejection is respectfully traversed. The separating apparatus of Bielagus does not include any means for adjusting an angle of inclination of the second section of the disc screen relative to the first section, as required by both independent Claims 1 and 11 as originally filed. Similarly, the separation method performed by the apparatus of Bielagus does not perform the step of adjusting an angle of inclination of the downstream section of the disc screen relative to an upstream section as required by method Claim 20 as originally filed. In Bielagus, the angle of inclination of the inclined section of the screening bed is fixed. See Figs. 1 and 2 in column 5, lines 2-9. Claim 20 has been amended to emphasize that the angle of inclination of the downstream section is adjusted during the separation of the mixed recyclable materials by the rotating discs. Accordingly, withdrawal of the anticipation rejection of Claims 1-3 and 6-20 over Bielagus is requested.

In due course, the examiner is requested to confirm the acceptability of the formal drawings filed with the original application on November 21, 2001.

A check in the amount of \$133 is enclosed to cover the required fees (\$43 for one independent claim in excess of three, and \$90 for ten claims in excess of twenty) for new Claims 21-30. Authorization is given to charge Deposit Account No. 50-0626 for any additional fee required.

Respectfully submitted,

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